IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI CENTRAL DIVISION

ALBERT HALL, Register No. 1041356,)	
	Plaintiff,)	
V.)))	No. 07-4074-CV-C-NKL
DAVE DORMIRE,	Defendant.)))	

ORDER

On February 11, 2008, United States Magistrate Judge William A. Knox recommended that defendant Dave Dormire's amended motion to dismiss or, in the alternative, for judgment on the pleadings be granted, in part, and denied, in part. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record, including the exceptions filed by defendant on February 28, 2008. The issues raised in defendant's exceptions were adequately addressed in the report and recommendation. The court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of February 11, 2008, is adopted. [31] It is further

ORDERED that defendant Dave Dormire's amended motion to dismiss or, in the alternative, for judgment on the pleadings is granted, in part, and denied, in part. [17] It is further

ORDERED that defendant's motion is denied as to plaintiff's Eighth Amendment claims challenging his denial of outside recreation and fresh air for three years, and his First Amendment claims challenging the scheduling of his religious services only at a time which conflicts with law library and indoor recreation time, all of which are offered only once weekly to protective custody inmates. It is further

ORDERED that all remaining claims are dismissed for failure to state a claim on which relief may be granted under 42 U.S.C. § 1983.

NANETTE K. LAUGHREY United States District Judge

Dated: March 18, 2008 Jefferson City, Missouri